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Mail-Out #MSC 06-01

January 6, 2006

TO: All Interested Parties

SUBJECT: UPDATE ON THE SOLID WASTE COLLECTION VEHICLE RULE

This Mail-Out is being distributed to remind municipalities and wastehauling companies about issues of concern regarding the Air Resources Board's (ARB) Solid Waste Collection Vehicle (SWCV) rule. These issues include the 2006 compliance requirements, dual-fuel vehicles, collection vehicle doorjamb labels, the term "active fleet" as used in the compliance schedules, and the proper definition of "retirement" for retiring a vehicle.

Compliance Requirements for 2006: The schedule requires that 50 percent of Group 1 vehicles and 40 percent of Group 2a vehicles be in compliance by December 31, 2006. Those wishing to do Early Compliance for Group 2b vehicles must have 50 percent or more of these vehicles in compliance by December 31, 2006.

Dual-Fuel Vehicles: Some hauling companies are counting these vehicles as alternative fueled vehicles, which is not correct. For the purposes of complying with the SWCV Rule, these vehicles are considered to be diesel vehicles. In addition, all dual-fuel vehicles, no matter what the age of the engine, are counted in the Group 3 (2003-2006) vehicle category. Compliance for Group 3 vehicles begins in 2009.

Door Labels: The Rule requires that ALL collection vehicles have proper doorjamb labels with complete, accurate information filled in. Truck drivers must be aware of label locations and be able to point them out to ARB inspectors. Failure to have proper labels in place can result in a Notice of Violation (NOV). You may view information about label requirements and see sample labels by looking at "What's New" of December 13, 2004 on our website at <http://www.arb.ca.gov/msprog/swcv/swcv.htm>.

Compliance With Your "Active Fleet": The compliance schedule requires that normal compliance be done year-by-year based on percentages of vehicles in your Active Fleet. The Rule defines Active Fleet as "the total, by terminal, of an owner's collection vehicles, excluding backup vehicles." Some waste collection companies are not following this aspect of the Rule and are doing more than the proper implementation percentage at some terminals and less at others, averaging out the total number of

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

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compliant vehicles. This "Active Fleet - by terminal" requirement assures an even distribution of clean air benefits to all California residents as the compliance schedule rolls out through 2010. Failure to properly adhere to this aspect of the Rule can result in a NOV.

Retirement: In checking wastehauler records for 2004-2005, it has become apparent that there is a misunderstanding of the term "retirement." A vehicle or engine sold to another entity in California does not count as a retired vehicle. The SWCV rule states that retirement or retire "means an engine or vehicle will be withdrawn from an active fleet in California. The engine may be sold outside of California, scrapped or used in a backup vehicle." A backup vehicle is one used less than 1000 miles per year. Hauling firms must maintain records proving that a vehicle was retired according to the definition of retirement in the SWCV rule.

If you have any questions or comments, please contact Mr. Richard Varenchik, Staff Air Pollution Specialist, at (626) 575-6730 or by email at rvarench@arb.ca.gov.

Sincerely,

/s/

Robert H. Cross, Chief
Mobile Source Control Division

cc: Mr. Richard Varenchik
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